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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER P69868US0 |
| | | US APPLICATION NO. (If known, use of CFM 1.5) 10/500213 |
| INTERNATIONAL APPLICATION NO. PCT/FR02/04575 | INTERNATIONAL FILING DATE December 27, 2002 | PRIORITY DATE CLAIMED December 27, 2001 |
| TITLE OF INVENTION MICRONIZED PHARMACEUTICAL OR NUTRACEUTICAL POWDER WITH IMMEDIATE RELEASE | | |
| APPLICANT(S) FOR DO/EO/US Jerome BESSE and Laurence BESSE | | |

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is hereby incorporated by reference and
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - International Search Report
 - PCT/IB/304 Form
 - PCT/IB/308 Form
 - First Page of Publication
 - International Preliminary Examination Report

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| US APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/500213</div> | | INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/FR02/04575</div> | | ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">P69868US0</div> | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: <div style="margin-left: 20px;"> Basic National Fee (37 CFR 1.492(a)(1)-(5)): Internatl. prelim. examination fee paid to USPTO (37 CFR 1.492 (a) (1)) . . \$730.00 No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) . . \$770.00 Neither international preliminary examination fee (37 CFR 1.492 (a) (3)) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO) \$1080.00 International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (4)) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00 Search Report prepared by the EPO or JPO (37 CFR 1.492 (a) (5)) \$920.00 <div style="text-align: right; margin-top: 10px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> </div> | | | | <div style="font-weight: bold;">\$920.00</div> | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$130.00 | |
| Claims | Number Filed | Number Extra | Rate | | |
| Total Claims | 23 - 20 = | -3- | x \$18.00 | \$54.00 | |
| Independent Claims | 1 - 3 = | -0- | x \$86.00 | \$ | |
| Multiple Dependent Claim(s) (if applicable) | | | + \$290.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1104.00 | |
| Reduction by 1/2 for filing by small entity , if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ | |
| SUBTOTAL = | | | | \$1104.00 | |
| Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$1104.00 | |
| Fee of \$40.00 for recording the enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31). | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$1104.00 | |
| | | | | Amt. to be refunded: | \$ |
| | | | | Amt. charged: | \$ |

a. ☒ A Credit Card Payment Form authorizing the amount of \$1104.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 06-1358 in the amount of \$ ____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

JACOBSON HOLMAN PLLC

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Washington, DC 20004

202-638-6666

CUSTOMER NUMBER: 00136

By

Irwin M. Aisenberg

Reg. No. 19,007

JPH&S 3/95